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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,922	08/04/2000	Peter V. Boesen	PO4642US0	2685

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EXAMINER	
TRAN, TAM D	#12
ART UNIT	**PAPER NUMBER**
2676	

DATE MAILED: 12/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/632,922	Applicant(s) BOESEN ET AL.	
	Examiner Tam D. Tran	Art Unit 2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 November 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 25-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 25-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☒ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 4, 7-9, 25-27 are rejected under 35 U. S.C. 103(a) as being unpatentable over Buxton et al. (PN6094197) in view of Godfrey et al. (PN 5736973).

1. In regard to claim 1, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). As to closing the graphic keyboard through the user interface, it is inherent that that the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary, and with the prompt feature, the application program has the capability to determine when the character is presented as need. Buxton et al. didn't teach determining input from user is no longer needed and removing the graphical keyboard. Godfrey et al. teach an on-time control turn off the driver

circuit after a predetermined time has elapsed following activation of the on-off switch (input is no longer needed), see abstract. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the display system of Godfrey et al. onto the graphical keyboard of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by "fell," prompts the novice user when and as necessary, and turn off power to the system after a predetermined time following the activation of on off switch.

2. In regard to claim 2, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard on touch screen display, wherein input area is constructed by software (executable code) that is executed by processor; (see col.14, lines 46 - 48). In correspond to the limitations of claims 2, wherein the input area is created by an executable code.

3. In regard to claim 4, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard on touch screen display, wherein user interface software (computer program) generates the keyboard image (input area); (see col. 14, lines 45 - 48). In correspond to the limitations of claims 4, wherein the computer program invokes the input area.

4. In regard to claim 7, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard on touch screen display, wherein software (computer program) running on the processor is executing on a personal computer; (see col. 14, lines 13 - 17). In correspond to the limitations of claims 7, wherein the computer program is executing on a personal computer.

5. In regard to claim 8, Buxton et al. teach a system for implementation (method of entering data) of the graphical key board on touch screen display, wherein graphical user interface

(computer program) is for pen-based computer; (see col.1, lines 39-41). In correspond to the limitations of claims 8, wherein the computer program is executing on a pen-based computer.

6. In regard to claim 9, Buxton et al. teach a system for implementation (method of entering data) of the graphical key board on touch screen display, wherein interface software (computer program) runs on a computer which has a touch-sensitive display screen; (see col.14, lines 13 - 26). In correspond to the limitations of claims 9, wherein the computer program is executing on a computer with a touch-screen display.

7. In regard to claim 25, 27, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It is inherent that that the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary, and with the prompt feature, the application program has the capability to determine when the character is presented as need. Buxton et al. didn't teach determining input from user is no longer needed and removing the graphical keyboard. Godfrey et al. teach an on-time control turn off the driver circuit after a predetermined time has elapsed following activation of the on-off switch (input is no longer needed), see abstract. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the

display system of Godfrey et al. onto the graphical keyboard of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by "fell," prompts the novice user when and as necessary, and turn off power to the system after a predetermined time following the activation of on off switch.

8. In regard to claim 26, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It is inherent that the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary, and with the prompt feature, the application program has the capability to determine when the character is presented as need. Buxton et al. didn't teach that user can not close the graphical keyboard through the user interface until the associated data input fields have been completed. Godfrey et al. teach an on-time control turn off the driver circuit after a predetermined time has elapsed following activation of the on-off switch (determining that data input fields have been completed), see abstract. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the display system of Godfrey et al. onto the graphical keyboard of Buxton et al. to form a claimed invention keyboard because

the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by "fell," prompts the novice user when and as necessary, and turn off power to the system after a predetermined time following the activation of on off switch.

9. Claims 3, 5, 6 are rejected under 35 U. S.C. 103(a) as being unpatentable over Buxton et al. (PN6094197) in view of Godfrey et al. (PN 5736973) and in further view of Freedman (The Computer Desktop Encyclopedia).

In regard to claim 3 and 5, Buxton et al. teach the method of entering data on touch screen display as claim in claims 1 and 4; in addition, Buxton et al. teach the operating system software (executable code/ computer program) having graphical user interface supporting window operation for generating input area, (see col. 15, lines 60-68). Buxton et al. doesn't teach window operation running with dynamic link library (DLL) on Visual Basic Module (Visual Basic code). Freeman teaches window operation running with dynamic link library (DLL) on Visual Basic Module (Visual Basic code), (see DLL section, page 254). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the dynamic link library and visual basic module as taught by Freeman onto the computer program of Buxton et al. because dynamic link library and visual basic module are convenience and specialized for developing window graphic operations, respectively.

10. In regard to 6, Buxton et al. teach the window operation software (computer program) calls (link file) a C language file, (see col.24 lines 1-35). Buxton doesn't teach C++ is an object-orientation version of C. Freeman teaches windows uses DLL as standard way of link and sharing functionality, (see DLL section, page 254); in addition, Freeman teaches C++ is an object-orientation version of C, (see C++ section, page 99). Therefore, It would have been

obvious to a person of ordinary skill in the art at the time of the invention to incorporate the dynamic link library in C++ as taught by Freeman onto the computer program of Buxton et al. because dynamic link library in C++ is convenience for the programmer and having many graphic user interface library files which provide a better image for the graphic display.

Response to Arguments

11. Applicant's arguments filed on 07/22/2002, have been fully considered but they are not persuasive.

Applicant argues that Buxton et al. (hereafter simply Buxton) do not teach a keyboard incapable of user termination. However, examiner respectfully disagrees with the argument because on col.14, lines 46-55, Buxton teaches a keyboard image is a graphical image generated by processor in accordance with user interface software and display on screen. On Fig.16, col. 12, lines 16-19, Buxton teaches a graphical keyboard along with the prompt on the view area that directs user inputting the characters as user needs. On the other hand, the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary; Also, with the prompt feature, the application program has the capability to determine when the character is presented as need. On the abstract, Godfrey et al. teach an on-time control turn off the driver circuit after a predetermined time has elapsed following activation of the on-off switch (input is no longer needed). For these reasons, the rejections are maintained.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **703-305-4196**. The examiner can normally be reached on MON-FRI from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Tam Tran
T T
Examiner

Art unit 2674

Matthew C. Bella
Primary Examiner